

BOARD OF DESIGN REVIEW MINUTES

November 7, 2002

CALL TO ORDER: Vice-Chairman Hal Beighley called the meeting to order at 6:30 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive

ROLL CALL: Present were Vice Chairman Hal Beighley; Board Members Cecilia Antonio, Mimi Doukas, Ronald Nardoza and Jennifer Shipley. Chairman Stewart Straus was excused.

Senior Planner Colin Cooper, Assistant Planner Jeff Caines, City Arborist Pat Hoff, Assistant City Attorney Ted Naemura, and Recording Secretary Sandra Pearson represented staff.

VISITORS:

Vice-Chairman Beighley read the format for the meeting and asked if any member of the audience wished to address the Board on any non-agenda item. There was no response.

STAFF COMMUNICATIONS:

Senior Planner Colin Cooper indicated that there were no staff communications.

OLD BUSINESS:

CONTINUANCES:

Vice-Chairman Beighley opened the Public Hearing and read the format of the hearing. There were no disqualifications of Board Members. No one in the audience challenged the right of any Board Member to hear any agenda items or participate in the hearing or requested that the hearing be postponed to a later date. He asked if there were any ex parte contact, conflict of interest or disqualifications in any of the hearings on the agenda.

A. BDR 2001-0215 -- SALEM COMMUNICATIONS BROADCAST TOWER TYPE 3 DESIGN REVIEW

(Continued from October 24, 2002)

The applicant requests Design Review approval for the construction of a second AM radio broadcast tower, approximately 199-feet in height, upon the subject site. This second tower is proposed approximately 290 feet west of the existing tower. The proposal includes the tower and related equipment, and landscape mitigation for any potential impacts. Specifically, the applicant proposes a new tapered tower design of 199 feet in height, in contrast to the original plan for approximately 260 feet in height. The modified radio tower at 199 feet, in comparison to the original tower design, will not be lighted, will not be painted red and white and will not use guy wires at the ground. The revised proposal also includes a commensurate reduction in the length of proposed underground radial wires, no longer than 199 feet, and a reduction in associated tree removal. The site is generally located west SW Oleson Road and east of SW Scholls Ferry Road on the north side of SW Vermont Street. The development site is specifically identified as Tax Lot 4000 of Washington County Tax Assessor's Map 1S1-13DC. The affected parcel is zoned Urban Standard Density (R-7) and totals approximately 12.8 acres in size. A decision for action on the proposed development shall be based upon the approval criteria listed in Development Code Section 40.10.15.3.C.

Observing that a waiver of the 180-day rule had been signed and submitted, Mr. Cooper noted that the applicant had requested that this public hearing be continued indefinitely.

Ms. Doukas **MOVED** and Ms. Antonio **SECONDED** a motion that BDR 2001-0215 – Salem Communications Broadcast Tower Type 3 Design Review be continued to a date uncertain.

The question was called and the motion **CARRIED**.

NEW BUSINESS:

PUBLIC HEARINGS:

A. APP 2002-0011: APPEAL OF 16167 SW SNOWY OWL 4 TREE REMOVAL

The Community Development Director's decision to deny land use decision BDR2002-0163 has been appealed. The proposal submitted was for the removal of four (4) trees located in the backyard of 16167 SW Snowy Owl Lane. The site is generally located north of Snowy Owl Lane, east of SW 155th Terrace. The site can be specifically identified

as Tax Lot 10000 on Washington County Assessor's Map 1S1-32CC. The site is zoned R-5 Urban Standard Density and is approximately .18 acres in size. Within the R-5 zone, single-family detached dwelling units are a permitted use outright. Any person(s) owning property within the Murray Ridge subdivision must obtain Type I Design Review approval from the City of Beaverton before any trees can be removed which were conditioned to be preserved by Washington County land use decision #95-635 PD/S. In taking action on the proposed appeal, the Board of Design Review shall base its decision on the approval criteria listed in Section 40.10.15.1.C of the Beaverton Development Code.

Observing that she had been involved in the preparation of the modifications of the platting of Murray Ridge for the duplex units in the SE corner of the development, which does not pertain to this particular application, Ms. Doukas stated that this would not affect her ability to render an impartial decision on this issue.

Assistant Planner Jeff Caines introduced himself and City Arborist Pat Hoff, presented the Staff Report and provided a brief history of the property and development involved in this request. Observing that the developer, D. R. Horton, had applied for a subdivision modification in 1999, he pointed out that one of the Conditions of Approval at that time with Washington County had involved tree removal, adding that trees located within future building pads shall be deferred until issuance of individual building permits, and that additional tree removal shall be considered a separate Type 1 procedure. He explained that in 1999, with the subdivision modification, this Condition of Approval had been carried through by the City of Beaverton and is still applicable at this time. He pointed out that any property owner wishing to remove a tree within this Murrayhill subdivision must file a Type 1 application, noting that at the time this was processed under the old Development Code, because there had been no process for a Type 1 Tree Removal, the request was processed as a Type 1 Design Review.

Mr. Caines mentioned that the applicant/appellant had filed an application for a Type 1 Design Review for the removal of four trees on September 23, 2002, adding that Mr. Hoff had determined that the trees were not damaged in any way and recommended preservation, resulting in a denial of the request by the Planning Director, which was appealed by the applicant/appellant.

Mr. Caines pointed out that the arborist retained by the applicant/appellant, Walter Knapp, had determined that there had

been an error in his original report and that the trees in question are actually healthy and should be retained, adding that this corresponds with Mr. Hoff's recommendation. Concluding, he recommended denial of the appeal and offered to respond to questions.

Ms. Doukas questioned whether the letter submitted September 30, 2002, and the Supplemental Arborist Report is the only documentation submitted by the applicant/appellant with regard to this issue.

Mr. Caines advised Ms. Doukas that the letter and Supplemental Arborist Report are all that have been submitted with regard to this appeal.

APPLICANT/APPELLANT:

LAURA ALVSTAD discussed her concern with the dangerous situation created by the large trees that remain near her home, observing that both the realtor and developer had assured her that the trees would be removed by the developer prior to purchase. She submitted an article from *The Oregonian*, dated July 11, 2002, which describes efforts of some of the residents of a neighboring development that prevented the removal of these trees at that time. Observing that she had not yet closed on the property, she stated that she had approached staff, specifically Mr. Caines, who had advised her that she would be permitted to remove the trees once she had purchased the property. Emphasizing that she had felt comfortable with that assurance from staff, she pointed out that she had done no further research, adding that she would not have purchased the property without this information. Noting that it was only after she had purchased the property and moved in that she had been told that these trees would have to be preserved, she pointed out that she had experienced other problems with the developer, D. R. Horton, with regard to contract violations. Observing that several arborists had submitted several conflicting reports, she pointed out that this does not involve an exact science.

Ms. Alvstad mentioned that her neighbors had been permitted to remove their trees, expressing her opinion that she has the right to remove hers as well. She pointed out that that the City of Beaverton should be required to follow their own regulations, adding that because there is no guarantee that those trees would not fall on her home or a neighbor's home, it is unreasonable to expect her to expose her family or neighbors to this risk. She discussed the windstorms of 1995 and 1996, observing that the Murrayhill area had been hit quite hard and

that many trees had fallen on homes. She expressed her opinion that other options are available to provide green space in the area, and provided photographs illustrating her property and the dangerous situation created by the trees.

Mr. Cooper advised Ms. Alvstad that these photographs have been entered into the records as exhibits and must be retained as part of the permanent record.

Ms. Alvstad expressed her opinion that these restrictions reduce the value of her property, and provided further documentation with regard to groves, including an article regarding people who were killed by falling trees in Great Britain and another article with regard to significant trees within the City of Beaverton.

Ms. Doukas indicated that she would like a copy of the Design Review criteria listed in the old Development Code.

TRACY KOSMOWSKI indicated that as a neighbor of the applicant/appellant she is requesting reconsideration of the denial of their request to remove these four trees from their property. Observing that one large Fir tree is located within 15 to 20 feet of her son's bedroom, she emphasized that she is very concerned with the possibility that this tree might come down during a windstorm. Noting that she is very concerned with safety and potential liability, she pointed out that these trees also prevent the installation of a fence.

JERALD HITTLE pointed out that these four trees have created a great deal of controversy and stress for his family, adding that this has been a burden and that they have been misled by both the developer and the City of Beaverton. Emphasizing that he would never have purchased this property under these circumstances, he noted that the same arborists that have indicated that these trees are healthy and should be preserved are unwilling and unable to guarantee that they would not fall during a windstorm. He pointed out that one of the arborists explained that these trees could be made safe if certain criteria is met, including the maintenance of an area of bark beneath the tree equal to the size of the canopy, no grass, no over watering, and the creation of what he referred to as a little preserve around each tree. Observing that this would not occur, he pointed out that grass would be planted right up to the trees, adding that backhoes and bulldozers have already driven over the roots of these trees, that would eventually die. Noting that he does not want to wait until the tree dies and falls over during a wind storm, killing somebody or damaging a

home, when it is possible to address and resolve this issue proactively at this time. He mentioned that these trees were originally part of a grove, adding that the grove is gone, the trees stand alone, leaving no protection from potential wind throw. He explained that there is no forest on this property, adding that this issue involves four very large trees in a very small yard, creating a risk to the safety of his family and his neighbors. Concluding, he expressed his opinion that because these trees are not part of a protected grove, he had no knowledge of any requirements, adding that in addition to being misled by the developer, the City of Beaverton had misrepresented itself and made the correction at his expense.

Ms. Shipley requested clarification that the lawn extends right up to the trees.

Mr. Hittle advised Ms. Shipley that the lawn goes within three or four feet of the trees, adding that the arborist has indicated that in order to maintain the integrity of the trees, the area beneath the trees would have to be equal to the size of the canopy of the trees. He explained that he does not intend to install a yard until he has been able to determine what he is able to do with regard to these trees.

Mr. Nardozza requested clarification with regard to the depth of the lawn.

Observing that his lawn is only 28 feet wide, Mr. Hittle emphasized that this involves a very small yard with four very large trees.

PAT HOFF, City Arborist, explained his position with regard to this situation, observing that this particular development includes provisions with regard to the preservation of these trees in the back yards of the individual homes. He pointed out that there have been numerous problems with this developer in the past, noting that he had removed many trees that were not supposed to be removed. He mentioned that he had been involved in more than ten Type 1 applications involving this development, expressing his opinion that none of the applicants had actually gotten what they wanted.

Mr. Hoff pointed out that Walter Knapp had submitted three separate Arborist Reports, adding that the first two had been very confusing and that the lot numbering had been incorrect with none of the listed trees actually matching the DBH or height indicated on the reports. Observing that the report had been revised and reissued on August 15, 2002, he pointed out that because Mr. Knapp had been instructed only

to list those trees that were dead or dying, Lot 32, which had no dead or dying trees, had not been mentioned. Concluding, he provided several pictures illustrating the trees in the development.

Noting that many of these trees illustrated in the pictures have been removed within the past several weeks, Ms. Alvstad requested clarification of when these pictures had been taken.

Emphasizing that the City is attempting to protect healthy trees within the development, Mr. Hoff pointed out that all purchasers were aware of these requirements, adding that the neighbors had recently installed a yard without any consideration for the impact to their tree.

Mr. Cooper requested clarification with regard to the potential risk of wind throw to these trees.

Mr. Hoff explained that several factors cause a wind throw, and referred to Exhibit 4, which addresses the drainage of water concentration on a tree, adding that he does not consider this an issue in this situation. He mentioned that the reduction of the grove is a factor, although there has been no mechanical damage or sign of decay in these trees. He pointed out that the live crown ratios are pretty good on these trees, adding that Mr. Knapp's report had concurred with his own findings. Expressing his opinion that these trees are very stable, he pointed out that they would have a great chance of survival in a prevailing wind.

Ms. Doukas questioned whether tree removal issue is a note recorded on the final plat.

Observing that this issue had been noted on the subdivision modification, Mr. Caines indicated that he is not certain whether this information is included on the recorded plat.

Noting that staff is unable to respond definitively to this question, Mr. Cooper advised Ms. Doukas with regard to the long and fairly tortuous history involving this property.

Ms. Doukas noted that she is confused with regard to where these Conditions of Approval end, expressing her opinion that these are basically construction requirements. She explained that the burden for these Conditions of Approval involve the original developer, adding that the individual property owners should not be responsible to fulfill

more than standard requirements, and questioned whether these trees are located within a mapped grove.

Mr. Cooper explained that the issue regarding this particular development is very unique and runs with the land, and described the situation involving this application, which was filed prior to September 19, 2002, at which time the old Development Code was applicable.

Ms. Doukas questioned how tree removal criterion differs from that of Design Review, which addresses impact and grading issues.

Mr. Cooper noted that this criteria addresses possible hazards, compatibility, and design, and discusses the intent of the original land use order and subdivision modification limiting changes to the infrastructure on the Murrayridge site. He pointed out that this also involves the issue of maintenance of a visual buffer along the northern property line, adding that in an attempt to gain additional benefits for themselves, the developer had moved the screening line into SW Snowy Owl Lane. He mentioned that although the intent had been to preserve many of the trees, there had been a great deal of tree loss throughout the entire process.

Observing that these conditions and requirements with regard to providing the buffer make a great deal of sense as they apply to the original developer, Ms. Doukas emphasized that eventually these are individual lots with individual homes and that these home owners have some rights with regard to the landscaping within their own yard. Noting that she is concerned with compatibility, which needs to be addressed, she expressed her opinion that the criterion has nothing to do with the intent.

Mr. Caines explained that a typical mitigation or compromise for the removal of trees is generally that for every tree removed, two similar trees are planted as a replacement. Emphasizing that these trees are neither ill nor damaged, he pointed out that both arborists, Pat Hoff and Walter Knapp, have substantiated this opinion.

Ms. Doukas expressed her opinion that the issues with regard to compromise and mitigation should be addressed within the Staff Report.

Mr. Cooper explained that the previous approval of Washington County is binding upon all heirs, successors and assigns.

Observing that she is hesitant to oppose the City Attorney, Ms. Doukas noted that she has difficulty with the enforcement of these restrictions on a permanent basis.

Vice-Chairman Beighley expressed his opinion that a potential liability and risk is being created by upholding the decision of staff when there is a possibility that winter storms could blow down a tree that causes an injury to a person or damage to property, and pointed out that these risks involve other property owners in the area as well.

Mr. Naemura indicated that it is necessary for a public body to consider the options and calculate the benefits, as well as the costs, risks and burdens, in making a decision.

Ms. Doukas expressed concern with the conflicting arborist reports that had been submitted.

Referring to the issue regarding the old Development Code versus the new Development Code, Ms. Alvstad adding that the proposed two for one compromise is not a compromise at all, but a very restrictive condition. She pointed out that the language is strange and very vague, expressing her opinion that it had been specifically created for this particular development. Observing that the property owners are being punished for the mistakes of the developer, she emphasized that there is no way to weigh the risks involving human life. She mentioned that none of the residents of Murrayhill is present to object to this appeal or application, adding that she had been the only resident of this development that actually bothered to call to find out if the trees could be removed.

Mr. Hittle pointed out that although the arborists have determined that these trees are healthy, any damage caused by the development would not be apparent immediately. Observing that he had personally watched the construction of his home and witnessed the disturbance of the dirt around the tree root zones by tractors, backhoes and trucks, he mentioned that a requirement for protection the size of the tree canopy would equal the size of his back yard, adding that his yard would be a tree preserve, rather than a back yard. He emphasized that he had been originally informed he would be permitted to remove these trees, noting that this is a major contradiction.

Pointing out that the yard is very small, Ms. Alvstad mentioned that she also likes trees and plans to plant trees, but not Fir trees. She mentioned that she had planned to utilize her back yard as a play area

for her children, rather than a tree sanctuary. At the request of Mr. Cooper, she reviewed the pictures of the development, and advised him that many of these trees have been removed in the last three weeks.

Mr. Hoff stated that the pictures he had provided are recent.

Mr. Hittle explained that a great deal of the area is comprised of backfill dirt from the developer, and questioned whether permits are necessary for the large amount of activity is occurring within the development.

PUBLIC TESTIMONY:

No member of the public testified with regard to this appeal.

The public portion of the Public Hearing was closed.

Observing that she would like to take the opportunity to address some of the testimony that had been received, Ms. Doukas explained that the Condition of Approval with regard to these trees had been imposed upon the original application because when this application was submitted, LUBA had been very concerned with the size of these small lots and the density that would be created within this neighborhood in Murrayhill. She pointed out that in order to address the compatibility of these small lots in connection with the other large lots to the north, provisions were implemented for the preservation of those existing trees, adding that the property owners in this area were accustomed to this amenity. She further clarified that this is the rationale for imposing this restriction upon this specific property and not other properties within the City of Beaverton. Noting that the goal had been to address the incompatibility of those two different types of development, she emphasized that this has created a special situation. She mentioned that this is what is involved in having a small lot within that neighborhood, adding that this is the burden associated with that particular piece of property.

Ms. Doukas pointed out that while the burden of proof is on the property owner, this also means that anyone purchasing the property is responsible to research all of these issues. Observing that she is aware that the applicant/appellant had attempted to research these issues and contacted the City of Beaverton, she mentioned that staff had acknowledged that an error had been made, adding that it is necessary at this time to deal with the existing circumstances.

Emphasizing that she still believes that individual property owners have some rights with regard to the removal of trees upon their own property, Ms. Doukas noted that it is still necessary to deal with the issue of compatibility. Observing that she understands the property owners' issue with regard to the health of their trees and their own personal desire with regard to this property, she mentioned that while one of the adjacent property owners has expressed no objection, there has been no response from the property owners on Murrayhill. She reiterated that the burden of proof with regard to this application is with the applicant, adding that it is not appropriate to ignore the incompatibility issue. She mentioned that while it would be helpful to have testimony from the Murrayhill property owners indicating that they would be comfortable with the removal of these trees, the safety issue would definitely override any compatibility issue, adding that she is struggling with the issue of compatibility versus safety.

Ms. Shipley expressed concern with imposing conditions upon trees with roots that extend into the yard of a neighbor, who can completely disregard any soil conditions and endanger the tree, emphasizing that this is beyond the control of the property owner who is responsible for the health of the tree.

Ms. Doukas pointed out that this is the reality whenever a tree root zone crosses a property line. Expressing her opinion that this restriction had been imposed upon the developer, rather than the individual property owners, she stated that the property owner should not be restricted by this obligation that has been fulfilled by the developer.

Ms. Antonio mentioned that the issue involves a restriction that runs with the land.

Ms. Doukas emphasized that this restriction is neither appropriate nor relevant.

Noting that she is not professionally knowledgeable with regard to trees, Ms. Antonio pointed out that it had been mentioned that trees such as these have the potential to fall down.

Observing that the grove has been violated and offers no protection from wind throw, Ms. Beighley noted that the homes to the north are at risk from these trees.

Ms. Doukas mentioned issues with compatibility with the adjacent neighborhood, noting that these neighbors had received notification and that silence indicates compliance with this request.

Ms. Shipley requested further clarification of the notification procedure.

Mr. Caines discussed the notification procedure and explained that the City of Beaverton possesses what he referred to as a GIS system, which provides a list of addresses from the Washington County Tax Assessor's records, specifically those properties within a certain distance of a particular address. He referred to Development Code Section 50.30.1.D.2, which states that failure to send notice to a person specified in this section or failure of a person to receive a notice shall not invalidate any proceedings in connection with the quasi-judicial application. Furthermore, the applicant's lack of receiving notice or another land use application has no relation to or effect upon the decision-making criteria for this application.

Referring to the language pertaining to Type 1 actions, Ms. Doukas mentioned that this language discusses removal of trees and vegetation that have died or are a hazard and approval of replacement vegetation.

Ms. Shipley expressed her opinion that the actions occurring on some of the surrounding properties, such as irrigation systems, are contributing to the situation jeopardizing these trees.

Mr. Hoff agreed that if the neighbors and homeowners continue to disregard the recommendations with regard to these trees, they would be negatively impacted.

Ms. Doukas expressed concern that if the applicants are not permitted to remove these trees that are interfering with the use of their property, they are going to resent those trees and allow them to die anyway. She stated that in all honesty, she would personally be tempted to go ahead and remove the trees and allow the City to come after her. Expressing her opinion that the purpose of a Type 1 application is to provide notification to the adjacent property owners, she pointed out that these property owners would then have the opportunity to express any objection. She noted that any trees that were intended as a community resource should have been tracted out and included in a Homeowner's Association, and pointed out that eventually these trees would become a safety issue.

Mr. Caines explained that one of the standard Conditions of Approval provides that any tree that is removed shall be placed with a like or similar tree.

Ms. Shipley questioned whether a list of replacement trees is available.

Mr. Cooper clarified that the Board of Design Review is authorized to suggest or condition certain replacement trees that would be appropriate or compatible in place of the Douglas Fir Trees, which would not be considered to be an appropriate choice in this particular situation.

Referring to the Conditions of Approval, Mr. Caines pointed out that each tree removed should be replaced at a ratio of two to one, adding that these replacement trees should be one of the following native evergreen species: Douglas Fir, Western Red Cedar, Western Hemlock, Noble Grand, Noble Fir, Grand Fir, or White Fir; at a planted height of eight to ten feet.

Ms. Doukas expressed concern that this replacement ratio of two to one would involve too many trees for the size of the yard that is involved.

Ms. Shipley pointed out that the recommended replacement trees are all large species.

Mr. Cooper suggested that the Board of Design Review consider an appropriate and specific finding relative to the land use order.

Ms. Doukas **MOVED** that because the retention of the trees in question may pose a safety hazard, and because the primary criteria in question with regard to the removal of these trees involves compatibility with the adjacent properties to the north, APP 2002-0011 – Appeal of 16167 SW Snowy Owl Lane/Four Tree Removal (BDR 2002-0163), be **APPROVED**, and BDR 2002-0163 – Tree Removal 16167 SW Snowy Owl Lane, be **APPROVED**, based upon the testimony, reports and exhibits presented during the public hearings on the matter and upon the background facts, findings and conclusions found in the Staff Report dated October 31, 2002, including the following Condition of Approval:

1. The property shall provide mitigation plantings of an evergreen variety to create a solid vegetative screen along the northern property line.

Mr. Cooper expressed his opinion that this Condition of Approval is fairly wide ranging, adding that evergreen variety could have several indications.

Ms. Doukas revised Condition of Approval No. 1, as follows:

1. The property shall provide mitigation plantings of ~~an evergreen variety~~ **a screen of upright conifer trees at an installation height of eight to ten feet** to create a solid vegetative screen along the northern property line.

Vice-Chairman Beighley expressed his opinion that this Condition of Approval should reference eight to nine feet, rather than eight to ten feet in height.

Mr. Cooper indicated that he would defer to the Board of Design Review with regard to this issue, observing that the applicant's needs should be considered as well.

Ms. Shipley stated that these trees should be capable of reaching a certain height and maturity, emphasizing that no dwarf species would be appropriate.

Ms. Doukas revised her motion with regard to Condition of Approval, as follows:

Ms. Doukas revised Condition of Approval No. 1, as follows:

1. The property shall provide mitigation plantings of a screen of upright conifer trees at an installation height of eight to ten feet, **capable of reaching a mature height of approximately 25 feet**, to create a solid vegetative screen along the northern property line.

Mr. Cooper suggested that findings should be included directing staff to craft language with regard to the protection of the trees.

Ms. Doukas revised her motion to include, as follows: **based on findings that because these trees are not common ownership, their long-term maintenance is not guaranteed, and because significant trees within this larger grove have been removed and may create a possible wind throw, and because adjacent property owners have removed a substantial number of trees and have also created the potential for wind throw, and because adjacent property owners can not be compelled to provide appropriate care for trees that are not located on their property, thereby making it impossible to assure their own safety with regard to these trees.**

Ms. Shipley **SECONDED** the motion, as revised.

Expressing his concern with the quantity of replacement trees required, Mr. Beighley emphasized that depending upon the choice of tree, the ratio of two to one is unreasonable within this narrow lot.

Ms. Doukas pointed out that she had basically described this as a performance standard, noting that she had stipulated the creation of a solid vegetative screen

along the northern property line, adding that this had been based upon the fact that a two for one ratio is not appropriate in this situation.

Mr. Cooper explained that staff would consult the Sunset Guide to determine whether a certain species has the ability to reach a minimum height and canopy, specifically with regard to providing the solid vegetative screen specified in Condition of Approval No. 1. He indicated that this would be more performance-based with regard to the specific number of trees, adding that this option should be left open.

The question was called and the motion **CARRIED** by the following vote:

AYES:	Antonio, Beighley, Doukas, Nardoza, and Shipley.
NAYS:	None.
ABSTAIN:	None.
ABSENT:	Straus.

Vice-Chairman Beighley emphasized that this had not involved an easy situation to deal with, observing that the Board had neither ignored Mr. Hoff's input nor the fact that his job is endless and thankless.

APPROVAL OF MINUTES:

The minutes of September 26, 2002, as written, were submitted. Chairman Straus asked if there were any changes or corrections. Ms. Shipley **MOVED** and Ms. Antonio **SECONDED** a motion that the minutes be adopted as written and submitted.

The question was called and the motion **CARRIED** unanimously, with the exception of Ms. Doukas and Mr. Nardoza, who abstained from voting on this issue.

MISCELLANEOUS BUSINESS:

The meeting adjourned at 8:20 p.m.